

**MANDATES, THE DUTY TO COMPLY
AND THE CONSEQUENCES OF NONCOMPLIANCE**



ORANGE COUNTY, CALIFORNIA

SOCIAL SERVICES AGENCY

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APR 17 1995

UNIVERSITY OF CALIFORNIA

March 1, 1995

**SOCIAL SERVICES AGENCY
MATRIX OF PROGRAM MANDATES**

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INTRODUCTION

What does it **mean** that the Social Services Agency is mandated to do things? What are those mandates **anyway**? If they are costly and burdensome, why doesn't the agency or the county itself just go ahead and ignore them?

These and other questions are often raised about the Orange County Social Services Agency, the programs it operates and the budget it needs to fulfill its mandates. This paper is intended to address those questions. Hopefully, it will leave the reader with an understanding of the answers to such questions.

First, a discussion paper is presented to provide that understanding. Second, a matrix of the mandates imposed by law and regulation on the agency is presented. This latter document shows that the mandates are real, many and often complex.

The findings of this report are:

- Mandates are requirements that the county must perform certain functions, tasks, processes and activities, sometimes including very specific requirements as to how they must be carried out, in what time frames and with what degree of accuracy.
- Mandates originate in federal and/or state law as well as federal and/or state regulations.
- The courts have determined that regulations have the force of law.
- State law prescribes that regulations issued by the State Department of Social Services and State Department of Health Services are binding upon the Board of Supervisors as well as the Director of Social Services.
- If mandates are not carried out, the county and its employees who knowingly fail to carry them out are subject to legal penalties, including the award of civil, and also punitive, damages to the extent that one or more members of the public are damaged.
- State law requires the State Director of Health Services and the State Director of Social Services to initiate a process to temporarily assume direct responsibility for the administration of all state-aided services if that state director finds the county director to be failing, in a substantial manner, to comply with applicable state law or regulation.
- Should such a state assumption occur, the State Controller may deduct county **funds necessary** for the continued operation of these programs from any state or **federal funds** due the county for any purpose.

It is important **to understand** mandates which originate in law and regulation, the legal requirements to fulfill the **mandates** and the consequences of failing to do so.

LAWS PLUS REGULATIONS WITH FORCE OF LAW = MANDATES

The mandates placed on county government originate in state law. Laws which require counties to operate certain functions, such as courts or jails or health care or welfare, are mandates placed on counties by the state legislature. These mandates are found throughout a virtual library of state law, in the Government Code, in the Welfare and Institutions Code, in the Civil Code, and many other codified state laws. Others are found in similar compilations of federal laws.

Many state laws include language directing and authorizing some state agency or department to write regulations to implement the laws. Regulations are usually much more detailed than the laws

themselves and supposedly carry out the legislative intent as stated in the law itself. In granting the authority and responsibility to write and issue those regulations, the legislature is granting the authority to state administrators to issue instructions that have the force of law. Indeed, the courts have repeatedly found that failure to follow regulations is a violation of state law.

Regulations, due to their detailed nature, tend to expand upon the mandate in the basic state law. In striving to carry out the intent of the law itself, they specify detailed requirements. Thus, state regulations get into great detail about how a county landfill is managed to meet stringent environmental requirements, or the level of health care that must be provided in the county jails, or how health and social service programs are to be administered.

It is safe to say, then, that the mandates faced by county government, requirements of the state that the county operate certain programs and do so in certain ways, sometimes right down to what forms must be used and how fast they must be processed, begin with the enactment of a state law and expand with the development and issuance of detailed state regulations. Many of the costly, process-oriented mandates which counties tend to chafe under will not be found in the law itself; it is the implementing regulations where the mandate skewer is sharpened to razor-like precision.

Many mandates of the state and federal governments are not funded, requiring counties to come up with the funding to carry them out. Others are partly funded; the state will put up some money, such as \$4.00, if the counties will put up \$1.00. Often the money the state puts up is a combination of state and federal dollars; sometimes this reality is the state carrying out a federal mandate by passing it on to the counties with some funding. Sometimes the state fully funds its mandates, but not often.

This explains the source of mandates. State and federal laws and state regulations which have the force of law, equal mandates—usually unfunded or only partly funded.

It is important to understand mandates which originate in law and regulation, the legal requirements to fulfill the mandates and the consequences of failing to do so.

SHOULD THE MANDATES BE MET? IS COMPLIANCE NECESSARY?

As counties grapple with a growing and costly number of unfunded mandates, especially those in regulation form, there is the temptation to ignore some or all of these mandates as a way to preserve county funds or in recognition that needed county funds just do not exist. County budget and policy makers can be and have been, on occasion, tempted to decide to ignore these mandates—to heck with them!

Before taking such a stance, policy makers need to know there are legal and fiscal ramifications that can bring the county to its fiscal and political knees and the policy makers to the end of their careers, perhaps even tapping their personal bank accounts in the payment of damages. Consider:

1. The county social services director is, by state law, required to abide by all lawful directives of the State Department of Health Services and the State Department of Social Services (Welfare & Institutions Code Section 10802).
2. The county social services director is, by state law, bound by all regulations established by the State Department of Social Services (Welfare & Institutions Code Section 10743).
3. Court decisions have reinforced the requirement of compliance. Perhaps the most noteworthy such court action is Jimnee Scott v. County of Los Angeles, a 1994 California Court of Appeals decision awarding damages to a foster child in Los Angeles County in which the court found:

- Public entities are liable under Section 815.6 of the Government Code for injuries to children in foster care which occur as a result of any violation of the duties imposed by the regulations of the State Department of Social Services.
- A county and its employees are not immune for negligence in performance of such functions.
- Shortfalls in government budgets do not excuse the performance of mandatory duties imposed by such regulations.

In addition to the duties which state law assigns to the social services director, and the pattern of court decisions affixing liability for damages which are determined to be a consequence of failure to comply, there is the duty and ability of the state to step in and take over the operation of the Social Services Agency should the state find that compliance with regulatory and law mandates is not occurring. This possibility is discussed in the following section.

COUNTY NONCOMPLIANCE WITH REGULATIONS AND LAWS

As discussed in the previous sections, regulations issued by the state have the force of law, and the courts have ruled that counties, and sometimes their employees, are liable for damages resulting from failure to carry out regulatory requirements as well as the law.

In addition to potential county and personal liability, the Social Services Agency is subject to oversight of the State Department of Social Services and the State Department of Health Services. Should the director of either of those state agencies feel that the Director of the Social Services Agency is failing to comply with state regulations or law in a substantial manner, state law provides authority for the state director to step in and assure compliance.

The state law sections which provide that intervention authority are presented below. It should be noted in reading these code sections that not only is authority for state intervention established, but it is made clear that the county is required to provide funds for the operation of the agency as deemed necessary by the state director and that such funds will be obtained from the county through action by the State Controller to deduct funds from any monies payable to the county for any purpose. Therefore, state intervention, including the direct assumption of operational responsibility for the Social Services Agency, should not be viewed as a way for the county to cut costs, for the county will pay one way or the other.

Welfare and Institutions Code Section 10605 - Determination of noncompliance in county administration; Notice; Sanctions; Review

If the Director of the State Department of Social Services believes that a county is substantially failing to **comply with** any provision of this code or any regulation pertaining to any program administered **by the** department, and the director determines that formal action may be necessary to **secure** compliance, he or she shall inform the county welfare director and the board of supervisors of that failure. The notice to the county welfare director and board of supervisors shall be in writing and shall allow the county a specified period of time, not less than 30 days, to correct its failure to comply with the law or regulations. If within the specified period the county does not comply or provide reasonable assurances in writing that it will comply within the additional time as the director may allow, the director may take one or both of the following actions:

- (a) Bring an action for injunctive relief to secure immediate compliance.

Any county which is found to be failing in a substantial manner to comply with the law or regulations pertaining to any program administered by the department may be enjoined by any

court of competent jurisdiction. The court may make orders or judgments as may be necessary to **secure** county compliance.

- (b) Order ~~the~~ county to appear at a hearing before the director with the State Social Services Advisory Board Committee on Welfare and Social Services to show cause why the director should not take administrative action to **secure** compliance.

The county hearings shall be conducted pursuant to the rules and regulations of the department. If the director determines, based on the record established at the hearing and the advice of the State Social Services Advisory Board Committee on Welfare and Social Services, that the county is failing to comply with the provisions of this code or the regulations of the department, or if the State Personnel Board certifies to the director that a county is not in conformity with established merit system standards under Part 2.5 (commencing with Section 19800) of Division 5 of Title 2 of the Government Code, and that administrative sanctions are necessary to secure compliance, the director may invoke either of the following sanctions:

- (1) Withhold all or part of the state and federal funds from the county until the county demonstrates to the director that it has complied.
- (2) Assume, temporarily, direct responsibility for the administration of all or part of any or all programs administered by the department in the county until the time as the county provides reasonable assurances to the director of its intention and ability to comply.

During the period of direct state administrative responsibility, the director or his or her authorized representative shall have all of the powers and responsibilities of the county director, except that he or she shall not be subject to the authority of the board of supervisors.

In the event that the director invokes sanctions pursuant to this section, the county shall be responsible for providing any funds as may be necessary for the continued operation of all programs administered by the department in the county. If a county fails or refuses to provide these funds, including a sufficient amount to reimburse any and all costs incurred by the department in directly administering any program in the county, the Controller may deduct an amount certified by the director as necessary for the continued operation of these programs by the department from any state or federal funds payable to the county for any purpose.

Nothing in this section shall be construed as preventing a county from seeking judicial review under Section 1094.5 of the Code of Civil Procedure of any final decision of the director made after a hearing conducted under this section. This review shall be the exclusive remedy available to the county for review of the director's decision.

Nothing in ~~this section~~ shall be construed as preventing the director from bringing an action for writ of **mandamus** or any other action in court as may be appropriate to insure that there is no interruption in ~~the~~ provision of benefits to any person eligible therefor under the provisions of this code or ~~the~~ regulations of the department.

Welfare and Institutions Code Section 10744 - County noncompliance with administrative requirements; Hearing procedure; Sanctions; Review.

If the State Director of Health Services considers a county director to be failing, in a substantial manner, to comply with any provision of this code or any regulation pertaining to the administration of health care services and medical assistance, he shall put the county director on written notice to that effect, and shall give a copy of the notice to the board of supervisors.

If within 60 days the county director fails to give reasonable assurance that he is complying and will continue to comply with the laws and regulations, the director shall order the county to appear at a hearing before him to show cause why he should not take action to **secure** compliance. The county shall be given at least 30 days notice of such hearing. The director

shall consider the case on the record established at the hearing and, within 30 days, shall render proposed findings and a proposed decision on the issues. The proposed findings and decisions shall be submitted to the county, and the county shall have an opportunity to appear within 10 days at such time and place as may be fixed by the director for the purpose of presenting oral arguments respecting the proposed findings and decision. Thereupon, the director shall make his final findings and decisions.

If the director determines that there is a failure on the part of the county to comply with the provisions of this code or the established regulations, or if the State Personnel Board certifies to the director that a county is not in conformity with established merit system standards under Part 2.5 (commencing with Section 19800) of Division 5 of Title 2 of the Government Code, and that administrative sanctions are necessary to secure compliance, the director may invoke any of the following sanctions:

- (a) Withhold part or all of state and federal funds from such county until the county shall make a showing to the director of compliance; or
- (b) Assume, temporarily, direct responsibility for the administration of any or all state-aided health care services and medical assistance programs in such county until the county shall provide reasonable assurance to the director of its intention and ability to comply with such laws and regulations. During such period of state administrative responsibility for county programs, the director or his authorized representative shall have all of the powers and responsibilities of the county director, with the exception that he shall not be subject to the authority of the board of supervisors; or
- (c) Bring an action in mandamus or such other action in court as may be appropriate to compel compliance. Any such action shall be entitled to a preference in setting a date for a hearing.

Nothing in this section shall be construed as relieving the board of supervisors of the responsibility to provide funds necessary for the continued services required by law.

Nothing contained in this section shall be construed as preventing a county from seeking judicial review of action taken by the director pursuant to this section under Section 1094.5 of the Code of Civil Procedure or, except in cases arising under Sections 10962 and 10963, from seeking injunctive relief when deemed appropriate.

GLOSSARY OF TERMS

AAP - Adoptions Assistance Program

AFDC - Aid to Families with Dependent Children or a pregnant person

AFDC-FC - Aid to Families with Dependent Children - Foster Care

AFDC-FG - Aid to Families with Dependent Children - Family Group

AFDC-U - Aid to Families with Dependent Children - Unemployed Parent

APS - Adult Protective Services

BIA - Federal Bureau of Indian Affairs

CAAP - California Alternative Assistance Program

CAR - Child Abuse Registry

CDSS - California Department of Social Services

CFR - Code of Federal Regulations

CHDP - Child, Health and Disability Prevention Program

CWD - County Welfare Department

CWS - Child Welfare Services

Dependent Children for CWS refers to children who are under jurisdiction of the Juvenile Court
for AFDC/Medi-Cal refers to children who lack the support of a parent through
absence, death, incapacity or unemployment

DHS - Department of Health Services

EAS - Eligibility and Assistance Standards Manual

ESH - Emergency Shelter Home

ET - Eligibility Technician (formerly EW)

EW - Eligibility Worker, now called Eligibility Technician

Fair Hearing - Client's right to appeal agency's decision

Federal Participation - Federal government share of grant and administrative costs

FMC - Family Maintenance - Court

FS - Food Stamps - Coupons issued in lieu of money for purchasing food to improve nutrition

FSET - Food Stamp Employment and Training Program

GAIN - Greater **Avenues** for Independence

GR - General **Relief** - financial payments to unemployed or incapacitated indigents who are not
eligible for **assistance** from any other source

GRWP - General Relief Work Program

HCA - Health Care Agency

IHSS - In-Home Supportive Services for eligible aged, blind & disabled individuals

INS - Immigration and Naturalization Service

Juvenile Court - Superior Court of the State of California that handles matters related to children who
are either delinquents or dependents

Medi-Cal - California's Medicaid assistance program

MRT - Medical Review Team

MSI - Medical Services for Indigents

NET - Non-GAIN Employment and Training

OCH - Orangewood Children's Home

RCA - Refugee Cash Assistance

RESS - Refugee Employment Social Services

SCC - Supplemental Child Care

SDHS - State Department of Health Services - AKA DHS

SDSS - State Department of Social Services, now called California Department of Social Services

Shall - In legal terms, means mandatory

SIU - Special Investigation Unit

SSA - Social Security Administration

SSA - Social Services Agency

SSI - Supplemental Security Income

SSP - State Supplemental program to SSI

SW - Service Worker, AKA - Social Worker

TAP - Refugee Target Assistance Program

TCC - Transitional Child Care

Title XX - Federally mandated services programs

USC - United States Code

W & I Code - Welfare and Institutions Code

**SOCIAL SERVICES AGENCY
MATRIX OF PROGRAM MANDATES**

I. CHILD WELFARE SERVICES

A. Emergency Response

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>A. Emergency Response</u> A 24-hour, seven day a week social worker response to reports of suspected child abuse and neglect made by law enforcement, mandated reporters and non-mandated persons.	Mandated Welfare and Institutions Code 301, 306, 307.4, 309, 311, 319, 329, 358, 358.1, 360, 361.2, 16501(a) (d) & (e), 1650410852, 10853, 16500, 16501(f), 16502	Total - \$ <u>17,407,337</u> Co <u>20%</u> = \$<u>3,437,949</u> State <u>46%</u> = \$<u>8,019,560</u> Fed <u>34%</u> = \$<u>5,949,828</u> Monthly Activity Dispositions - 3,145	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	The Emergency Response Program is a mandated service program and a component of preplacement preventive services. The Emergency Response Program is designed to provide in-person response to and assessment of reports alleging a child is endangered by abuse, neglect or exploitation, for the purpose of providing initial intake services and crisis intervention to maintain the child safely in his or her home or to protect the safety of the child. The program is broken down into emergency intake service segments reported in A1 through 6 indicated below.
<u>A1. Child Abuse Registry</u> 24-hour telephone Hotline for reports of suspected child abuse and neglect.	See A. above.	See A. above. Monthly Activity Reports - 3,644	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Social Services staff in this program are responsible to make an immediate assessment of all incoming referrals of child abuse/neglect, document all pertinent and available information according to state mandate protocol, assess the decision to conduct an in-person/ response and the level of response time needed for assessment. In addition to receiving reports and providing information and consultation, the Registry is responsible for processing and distributing the reports to local and state law enforcement agencies and for maintaining a county-wide centralized index of child abuse reports. Registry workers are also responsible for fostering communication with and providing training for law enforcement agencies, school districts, medical centers and other mandated reporters.

I. CHILD WELFARE SERVICES

A. Emergency Response

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<p><u>A2. Emergency Response/Initial Contact</u></p> <p>In-person assessment and investigations of reports determined by the Child Abuse Registry to warrant immediate or 10 day response to determine the risk factors to the child.</p>	See A. above.	See A. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>Emergency Response services consist of a response system providing in-person, face-to-face response by a social worker skilled in emergency response.</p> <p>Any reports of imminent danger to a child must be investigated immediately, and all other reports within 10 calendar days.</p> <p>The social worker shall have in-person contact with all of the children alleged to be abused, neglected or exploited and at least one adult who has information regarding the allegations. When indicated, all children present at the initial investigation, all available parents who have access to the child, and make necessary collateral contacts with at least persons having knowledge of the condition of the child(ren).</p> <p>The social worker is responsible to determine if the report is unfounded, unsubstantiated, or substantiated, making a referral for the family to community services when deemed appropriate or initiating child welfare services when determined necessary for the protection of the child. If child welfare services are necessary, a case plan must be developed and documented. The case plan may be to provide voluntary services or, when necessary, may include the decision to file a petition to declare the child a dependent of the juvenile court where the child remains in the home or is removed from the home and placed in a relatives home or in emergency shelter care.</p> <p>The social worker shall visit the child at least three times in the first 30 days; if a case plan (either voluntary or court) has been developed in the first 21 days, 2 visits will suffice.</p>

I. CHILD WELFARE SERVICES

A. Emergency Response

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<p><u>A3. CAST</u> (Child Abuse Services Team)</p> <p>Special unit in Emergency Response to assess sexual abuse (Interview Specialist)</p>	<p>Not mandated. Without this multi-disciplinarian approach, criminal and child welfare cases for sexually abused children would not be as strong and there would be more trauma for the children.</p>	<p>Total - <u>\$76,000</u></p> <p>Co <u>0</u> % = \$ <u>0</u></p> <p>State <u>100</u> % = \$ <u>76,000</u></p> <p>Fed <u>0</u> % = \$ <u>0</u></p> <p>Monthly Activity Cases - 186</p>	<p><input checked="" type="checkbox"/> SSA</p> <p><input checked="" type="checkbox"/> Other Agency HCA</p> <p><input checked="" type="checkbox"/> Contract</p> <p>Nonprofit Agencies:</p> <ul style="list-style-type: none"> • CASA • Child Abuse Prevention Council 	<p>The Board of Supervisors approved the CAST Program within the Social Services Agency Office with supporting costs budgeted by other participating agencies. CAST is a public/private partnership.</p> <p>In addition to the responsibilities already stated in Emergency Response, the CAST interview specialist participates in an interagency multidisciplinary approach to the investigation of reports of child sexual abuse, to support both a strong child welfare and criminal case when necessary to avoid unnecessary trauma and upheaval to the child.</p>
<p><u>A4. Police Outstation Program</u></p> <p>Children's services has one senior social worker outstationed in each of 12 of Orange County's law enforcement agencies with the local departments providing the space and equipment at no cost.</p>	<p>Not mandated.</p> <p>Such an arrangement has resulted in less trauma to the child and family and an increased collaborative effort between the two agencies legally responsible for investigating reports of child abuse.</p>	<p>See A. above.</p>	<p>See A. above.</p>	<p>Social workers provide the emergency response services and most often team with law enforcement on reports of child abuse and neglect. SSA staff assist peace officers in diverting children from custody and the court process who would otherwise, without immediate SSA assistance, have been brought into protective custody. This team approach with law enforcement in the field, by reducing custody intakes, in turn reduces population/crowding at the Orangewood Children's Shelter and shelter costs.</p>

I. CHILD WELFARE SERVICES

A. Emergency Response

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>A5. Intake</u> The Dependency Intake program is designed to promote swift and objective evaluation of the circumstances of any child who is determined to come under Section 300 (a) through (j) of the Welfare and Institutions code, and an application for petition (custody or non-custody) has been filed.	Mandated. Welfare and Institutions Code 301	See A. above.	See A. above.	<p>The social worker is bound by federal and state mandates which involve rights of the parent and child, interviewing of parties involved, compiling data of both child welfare and criminal histories, time lines for decision making, noticing parents of court action and explaining the court process to both parent and child (when age appropriate).</p> <p>The worker may file a petition in Juvenile Court and may make a recommendation for the child to remain in protective custody or be released to a parent under intensive supervision through the investigation phase. The Dependency Intake social worker may also enter into an informal supervision agreement pursuant to Section 301 of WIC or may refer the family for voluntary Family Maintenance services prior to a petition being filed with the court</p>

I. CHILD WELFARE SERVICES

A. Emergency Response

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<p><u>A6. Investigation</u></p> <p>The Dependency Investigation assumes responsibility for a case once a petition is filed and the detention hearing has been held in Juvenile Court.</p>	See A. above.	See A. above.	See A. above.	<p>The social worker is responsible for conducting an in-depth assessment of the child's situation, including evidence that would support or disprove the allegations of the petition, developing and implementation of a service plan and preparing a complete report for use by the Juvenile Court in determining whether or not the child should be declared a dependent and in reaching its disposition of the case. This report will contain a recommendation for the most appropriate plan and for the ongoing care and protection of the child. The social worker may recommend that the child remain with the parents under the supervision of SSA or that the child be taken from the physical custody of the parents and placed with a relative, in a foster home or in a group home under agency supervision.</p> <p>The social worker fulfills a variety of statutory and regulatory requirements. Due diligence efforts must be made to find and notice any absent or unknown parents of the pending court actions. Time constraints bind the social worker in meeting the burden of proof as to the jurisdictional/dispositional issues.</p> <p>Until the court makes a final disposition on the case, the social worker is responsible for monitoring the child's progress in placement (if in custody or with parent) during the investigatory phase; making all efforts to place the child in the most appropriate yet least restrictive environment; monitoring any visits between the child and parents, siblings and relatives; initiating and facilitating medical/dental examinations and compilation of medical and school history for each child.</p> <p>Contact with the child and parents during this process are mandated by the State (3 times during the first 30 days, and 1 time a month thereafter for the child, and 1 time per month for the parents).</p>

I. CHILD WELFARE SERVICES

C. Orangewood

COMPONENT	MANDATES	FY BUDGET 84/95	SERVICE PROVIDER	COMMENTS
<p><u>C. Orangewood</u></p> <p>24-hour, County owned and operated, non-secure emergency shelter care facility that provides short-term residential care and supervision for dependent children under 18 years of age who have been removed from their homes as a result of abuse or neglect, as defined in Section 300 of the Welfare and Institutions Code or from foster care or group care due to a disruption in the placement.</p>	<p>Mandated</p> <p>Welfare and Institutions Code 319(d), 361.2(b), and 16501.1, H&S Code 1530.8</p>	<p>Total - \$ <u>11,580,929</u></p> <p>Co <u>46%</u> = \$<u>5,327,227</u></p> <p>State <u>27%</u> = \$<u>3,126,851</u></p> <p>Fed <u>27%</u> = \$<u>3,126,851</u></p> <p>Monthly Activity</p> <p>Daily - 252</p>	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input type="checkbox"/> Contract</p>	<p>Many children require emergency shelter care to meet their continuing protective needs and there is no other location where they can be protected. Children with special needs which render them difficult to place will have longer stays in shelter care until a location becomes available wherein these special needs can be met.</p> <p>In addition, Orangewood provides respite care for foster parents and in some cases parents. Staffing ratios are established at a minimum level to provide a full service operation to meet the basic needs of each child.</p> <p>Orangewood was constructed as a public-private partnership, with the Orangewood Children's Foundation raising approximately \$13 million from the private sector. The Foundation continues to support some of the special needs of Orangewood children and some facility capital maintenance costs.</p>
<p><u>C1. Emergency Assistance</u></p> <p>Access to federal financial participation in the provision of emergency services to families.</p>	<p>Mandated as all counties must participate before the funding is available.</p> <p>Title IV-A [42 USC 606(e)(1)] State Plan 7/1/93; MOU between CDSS & SSA 1993</p>	<p>Total - \$ <u>16,431,286</u></p> <p>Co <u>24%</u> = \$<u>3,943,509</u></p> <p>State <u>26%</u> = \$<u>4,272,134</u></p> <p>Fed <u>50%</u> = \$<u>8,215,643</u></p>	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input type="checkbox"/> Contract</p>	<p>Title IV-A of the Social Security Act authorizes federal financial participation in the provision of emergency services to families. Effective 7-1-93 California obtained federal approval to include this in the State Plan for Title IV-A. The plan defines an emergency to include children at risk of abuse, neglect, abandonment or exploitation. This includes families served by county welfare departments. A Memorandum of Understanding between each County Welfare Director and CDSS is in place to operate the system on a statewide basis.</p> <p>It provides an important source of revenue but also requires intensive documentation and appropriate paperwork.</p>

I. CHILD WELFARE SERVICES

D. Family Reunification

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
D. Family Reunification The Family Reunification Program serves children who have been placed in out-of-home care by the court when they cannot remain safely in their own home.	Mandated Welfare and Institutions Code 381.5, 388, 16501(h), 16507.	Total - \$ <u>8,105,137</u> Co <u>20%</u> = \$ <u>1,600,765</u> State <u>46%</u> = \$ <u>3,734,037</u> Fed <u>34%</u> = \$ <u>2,770,336</u> Monthly Activity Cases - 1264	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>This program is time-limited by state law (maximum of 18 months from date of placement).</p> <p>The case plan adopted by the Juvenile Court is the central driving force for the parent and Social Services. Social Services staff have the custody, care and control of the minor and the responsibility to provide foster care or group home placement suitable not only to meet the child's basic needs but a home that will not impede the parent's efforts to reunify. SSA also has responsibility for providing services and case management of service funded activities consistent with the goals and objectives of the case plan including emergency shelter care, teaching and demonstrating homemakers, parent training, and transportation.</p> <p>SSA is mandated by state regulation to have face-to-face contacts with each child, each parent and the child's caretaker once a month to assess the continuing needs of the child and monitor the parents progress with the case plan. Exceptions to this mandate must be granted by a Social Services Supervisor and documented in writing.</p> <p>They are mandated to arrange for, facilitate and often monitor regular visitation between family members. In addition, the social worker must complete a multitude of statutory and regulatory paperwork, prepare 6, 12, and 18 month court reports and case plan updates, and participate in court hearings on behalf of the agency as deemed necessary.</p> <p>If the parents fail to reunify within the statutory time-frame, the social worker must evaluate and recommend to the Juvenile Court the most appropriate permanent plan.</p>

I. CHILD WELFARE SERVICES

D. Family Reunification

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
D1. PATIENCE (Parent Alternative Intervention, Evaluation, Nurturing Child Education) An interagency, multi-disciplinary service attached to the Health Care Agency Perinatal Drug Treatment Program for the purpose of helping women overcome problems that might otherwise make them drop out of that program	Not mandated. Eliminating this program would result in the removal of more children due to the drug use of parents, thereby increasing Orangewood operational costs and the costs of Foster Care and social services.	One Social Worker is funded for HCA at \$55,444. Monthly Activity Cases - 20	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract <ul style="list-style-type: none"> HHS Grant with Dept. of Education, HCA, SSA 	The social worker fills the role of the emergency response, family maintenance and family reunification programs to both dependent or at risk of becoming dependent children and their parents, to educate and assess the parenting skills and parent/child interaction, as well as referral and linkage to available resources and support for family reunification efforts. This is a partnership between SSA, HCA and the County Department of Education devoted to keeping families intact as an alternative to removing the child from the home.
D2. Advance Serves infants who have a history of perinatal drug exposure and have been identified as being "at risk."	Mandated services. See A., B. and D. above. This program is structured to provide continuity in social services for drug exposed babies.	Total - \$ <u>4,739,866</u> Co 20% = \$<u>947,973</u> State 46% = \$<u>2,180,338</u> Fed 34 % = \$ <u>1,611,555</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Intake social worker serves a vertical function through the various programs that are state and federally mandated, including Emergency Response services, Dependency Intake and Investigations, whether the child remains in the home or in out-of-home placement. This worker will also link the parent to services for substance abuse treatment, drug testing, field nursing and developmental evaluations. The assessment worker will stay involved until the court decides the level of protection needed. Provides voluntary and court ordered family maintenance services, family reunification and permanency planning services as mandated by state and federal law.

I. CHILD WELFARE SERVICES

D. Family Reunification

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
D3. Abandoned Infants Assistance Project Grant To prevent the abandonment of drug and HIV exposed infants. Supplements Advance program.	Not mandated. Grant cannot be turned over to community organizations, because of case management mandates.	Total - \$ 500,000 Co 10 % = \$ 50,000 State 0 = \$ 0 Fed 90% = \$ 450,000 Total cases from 7/91 to 7/94 - 394	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract • Child Guidance • Exchange Club • Orangewood Foundation	Although the project is not mandated, the services provided are in the mandated areas of Family Maintenance and Family Reunification . The goal of this project is to help parents learn how to care for themselves and their baby, thus keeping families intact as an alternative to the more costly and disruptive approach of taking the baby into custody and foster care.
D4. Families First Day Treatment Intensive day treatment in collaboration with the Dept. of Education and Probation Department to reduce the need for group home placements.	Not mandated. HHS Grant for Therapeutic Day Treatment Federal Register Vol. 36 No. 50 March 14, 1991 If the project was terminated, Foster Care costs due to group home placements would increase.	Total - \$ 425,322 Co 0 % = \$ 0 State 0 % = \$ 0 Fed 100% = \$ 200,000 \$33,100 from Juvenile Justice Delinquency Prevention funds. \$33,100 from CWS funds.	<input checked="" type="checkbox"/> SSA <input checked="" type="checkbox"/> Other Agencies • Department of Education • Orange County Probation Department <input checked="" type="checkbox"/> Contract • Community Services Programs (CSP).	A multidisciplinary collaborative program is a joint venture between Orange County Department of Education, Probation Department and the Social Services Agency to prevent or reduce the need for group home placement for at-risk adolescents by providing a full day program of education and intensive therapeutic, social and recreational activities in the afternoon. There is also an evening component that provides parent education and family therapy. Educational services are provided in a small class setting by the DOE. After-school supervision, counseling for the youth and their families, parent training, recreation and socialization activities are provided through a contract with the community based non-profit Community Services Programs (CSP). This program has served 75 children through the end of January, 1995 and is estimated to have saved \$600,000 in group home costs through the end of May, 1994.
D5. Community Care D5 (a) Group Home Investigations D5 (b) Foster Home Investigations	Welfare and Institutions Code 16501(f), 16504 Penal Code 11165.5)	See D. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	County welfare departments are required to respond to any report of imminent danger to a child immediately and to all other reports within 10 days.

I. CHILD WELFARE SERVICES

D. Family Reunification

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>D5 (c) Group Home Monitoring</u>	Not mandated	See D. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>By monitoring and supervising the 53 group homes that either contract with the county or where Orange County children are placed, problems are identified before they become an issue resulting in better programs, and fewer child abuse reports and other problems.</p> <p>SSA staff works closely with group home administration and staff to assure that all laws and regulations are followed and that programs meet the needs of the children.</p>
<u>D5(d) Foster Home Recruitment</u>	Partly Mandated Welfare and Institutions Code 16001	See D. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>County placement agencies are required to examine the adequacy of existing placement resources and programs and identify the type of additional resources and programs needed. Placements made out of the county are specifically to be examined to determine the reason the placement was necessary and identify what needs to be done to allow children to remain in the county and close to the parents.</p> <p>Since the agency must determine placement needs, it follows that recruiting to meet those needs is important. Research indicates that it takes about 2 years from the time a person hears about foster parenthood to getting a license. Children's Services staff reach out to various communities, including ethnic and religious, to provide information and answer questions about becoming foster parents. They spend time at community fairs and swap meets as well as attending meetings and other functions. This has resulted in an increase in licensed foster homes.</p> <p>Placement in a foster home is preferable for a child and it is less costly than group home placement.</p>

I. CHILD WELFARE SERVICES

D. Family Reunification

COMPONENT	MANDATES	FY BUDGET 84/95	SERVICE PROVIDER	COMMENTS
D5(e) Foster Home Licensing	Not Mandated Contract with state to provide. Cost effective.	Total - \$ <u>362,757</u> Co <u>0</u> * % = \$ <u>0</u> State <u>64</u> % = \$ <u>232,165</u> Fed <u>36</u> % = \$ <u>130,592</u> *County becomes responsible for state share if total costs are exceeded.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>The county contracts with CDSS to license foster homes in the county. Foster family homes are a valued placement resource because they provide a family home rather than an institutional setting and they are less costly than institutions.</p> <p>A return of the licensing function to the state is likely to result in a reduced number of foster homes for Orange County dependents based on data that shows that state run licensing programs experienced a 5% decrease in licensed homes while the county program had a 4% increase for the same time period. There are currently 574 licensed homes. This could result in a loss of 25 homes and 46 beds. The annual average cost of a foster home placement is estimated to be \$9,000 versus \$42,000 for institutional care.</p> <p>A return to the state would also increase SSA net county costs as indirect costs now borne by this funding source would shift into other SSA programs.</p>
D5(f) Foster Parent Training	Partially mandated. California Administrative Code, Title 22, Division 6, Section 87017(c)(1).	See D. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Regulations require an applicant for a foster home license to attend and complete an orientation provided by the licensing agency. This orientation helps the applicant to understand the agency, the court system and the licensing requirements. It also contains information on the dynamics of child abuse and the role of the foster parent with the child's parents and with agency staff in working to reunite the family or in developing a permanent plan for the child.

I. CHILD WELFARE SERVICES

D. Family Reunification

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<p><u>D5(g) Foster Care Registry</u></p> <p>Maintains a list of all foster and group home vacancies to provide match for children needing placement.</p>	<p>Not mandated.</p> <p>Provides for efficient use of placement resources and insures that the child is placed in the most appropriate home available to meet the special needs of the child.</p>	See D. above	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input type="checkbox"/> Contract</p>	<p>By statute [WIC §16002, 16501.1(c), Family Code §7950 et seq.] and regulation [CDSS Division 31 Sections 206.31 and 420.1] children must be placed in a home or institution that meets their needs and best interests, including racial, ethnic and religious needs, proximity to natural parents, and placing siblings together.</p> <p>The purpose of the Foster Care Registry is to maintain a computerized database of licensed foster homes and group homes, including location, number of available beds, willingness to accept siblings and other special information to make an appropriate match between a child needing out-of-home placement and an appropriate caretaker. Having this information stored and regularly updated insures that the task of finding the proper placement is accomplished in a timely and efficient manner.</p>
<p><u>D5(h) Foster Care Liaison</u></p>	<p>Not mandated.</p> <p>Board of Supervisors Authorization 1/8/85.</p>	See D. above	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input type="checkbox"/> Contract</p>	<p>The position of Foster Care Liaison was created as a result of foster parents requesting a person in Children's Services designated to provide them with supportive services and a focal point for resolution of problems that arise in the course of caring for dependent children. The Liaison is available to answer questions, provide information regarding resources and agency policy and procedures, as well as advice and guidance in resolving complaints or concerns about policy or staff. A monthly newsletter helps keep foster parents up to date regarding licensing requirements, educational and training activities, and other information to help them provide care to dependent children</p>

I. CHILD WELFARE SERVICES

D. Family Reunification

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>D6. Interstate Compact on the Placement of Children</u> Procedures for placing and supervising a child when placed with a person/ institution in another state.	Mandated. Civil Code Sec. 265.	See D. above	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>The Interstate Compact on the Placement of Children is the best means we have to ensure protection and services to children who are placed across state lines for foster care or adoption. The Compact is a uniform law that has been enacted by all the 50 states, the District of Columbia and the U.S. Virgin Islands. It establishes orderly procedures for the interstate placement of children and fixes the responsibilities for those involved in the placing of the child.</p> <p>Children placed out of state need to be assured of the same protections and services that would be provided if they remain in California. They must also be assured of a return to California should placements prove not to be in their best interests or should the need for out-of-state services cease.</p> <p>Violation of the Compact may be punished or subject to penalty in either California or the state in accordance with its laws.</p>
<u>D7. Indian Child Welfare Act</u> Procedures for placing an Indian child and working with the child's tribe.	Mandated. 25 USCA Sec. 1901 et seq.	See D. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>To protect the best interests of Indian children and promote the stability and security of Indian tribes and families, Congress has established minimum standards for the removal of Indian children from their families and their placement in foster and adoptive homes that reflect the values of Indian culture. These standards include verification of the Indian child's tribe, informing the tribe and/or the BIA of all involuntary proceedings where placement or termination of parental rights is a possibility, transferring jurisdiction to the tribe upon request, following the prescribed order of placement and other duties.</p> <p>Although Orange County has no tribal lands or reservations, it does have an estimated Indian population of 18,000, representing a great many tribes from the rest of the state and country.</p>

I. CHILD WELFARE SERVICES

D. Family Reunification

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>D8. PROCUL</u> Special Immigrant status for undocumented dependents court ordered into long-term foster care	Mandated. Immigration Act of 1990	See D. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>It refers to individuals who are allowed to remain in the U.S. at the administrative discretion of the INS and is used to determine eligibility for services under federal assistance programs such as Medicaid, SSI, and AFDC-FC.</p> <p>This procedure is beneficial because it establishes the child's immigration status. Once this is accomplished, the cost of placements shifts from 100% county general funds to the appropriate state/federal shares.</p>

I. CHILD WELFARE SERVICES

E. Permanent Placement Services

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>E. Permanent Placement Services</u> Social Services is statutorily and federally mandated to provide permanency planning services to children for whom there has been a judicial determination of a permanent plan for adoption, legal guardianship, or long-term foster care.	Mandated Welfare and Institutions Code 366.22 and 16501.1 (I) Division 31-425	Total - \$ <u>4,608,761</u> Co <u>20</u> % = <u>\$910,230</u> State <u>46</u> % = <u>\$2,123,256</u> Fed 34% = \$1,575,275 Monthly Activity Cases - 1582	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	The social worker must visit the child at least once every six months and take necessary action to safeguard the child's growth and development while in placement and perform a number of eligibility and case plan update requirements. When it is not likely a child can or will be adopted and guardianship is not an available option, the social worker is responsible for arranging a stable long term foster care placement for the child, continuing case management, visitation with family members and such service funded activities as counseling, transportation, coordination with independent living skills, education and training. Monthly contact with the child and his/her caretaker is mandated. Court reviews are held every 6 months until dependency is terminated.
<u>E1. Independent Living Skills</u> Program to help children in placement prepare for life after foster care.	Mandated. 42 USC Sec. 675, 677.	See E. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	A federally funded program designed to assist children in foster care age 16 and older in making the transition from foster care to independent living. The social worker is required to develop a transitional independent living plan which describes the programs and services, including employment, as appropriate, to help the child prepare for transition out of foster care.
<u>E2. Guardianship Studies Probate Court</u> Assessment of potential, non-related guardians	Mandated. Probate Code Sec. 1513(a)	See E. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	The Probate Code mandates an investigation and report to the court on all probate guardianship petitions. It specifies that investigations where the proposed guardian is a non-relative be made by the county agency designated to investigate potential dependency. The Probate Code further describes the required content of an investigation. It necessitates interviews with the proposed guardians, the child, and the parent if possible; gathering of collateral information from schools, therapists, etc.; child abuse and Department of Justice (criminal record check) clearances.

I. CHILD WELFARE SERVICES

F. Adoptions

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
F. Adoptions Program assumes case management responsibility for dependent children who are considered adoptable and for whom Family Reunification services have been terminated.	Not Mandated. Contract with state to provide services.	Total - \$ <u>1,785,072</u> Co <u>0</u> % = \$ <u>0</u> State <u>61</u> % = \$ <u>1,088,894</u> Fed <u>39</u> % = \$ <u>696,178</u> Monthly Activity Placements - 20	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>There is no cost to the county for the operation of the adoption program.</p> <p>Adoption is legally mandated as the first priority as a permanent plan for children who cannot be reunited with their families. However, due to the special needs of most dependent children, locating appropriate and committed adoptive families often requires determined search and recruitment efforts and a working knowledge of the family's history and the child's needs.</p> <p>The adoptions program has been highly successful in placing numerous children with multiple, serious special needs.</p> <p>Although this program is not mandated, the county maintains a share of Adoption Assistance payments. To return this program to the state would put the county in a position of sharing in the cost of payments and having no control over supervision, monitoring or changing the performance of social workers arranging adoptions.</p> <p>A return to the state would also increase SSA net county costs as indirect costs now borne by this funding source would shift into other SSA programs.</p>

II. ADULT SERVICES

A. In-Home Supportive Services

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
A. In-Home Supportive Services (IHSS) Program provides for in-home care to eligible aged, blind and disabled individuals who would be unable to remain safely in their own homes without this assistance.	Mandated Welfare and Institutions Code Sections: 12250 12254 12300 12309 14132.95 State Regulations: Chapter 30-700	Total Admin- \$ 3,597,890 Co 17 % = \$ 606,957 State 39 % = \$ 1,416,234 Fed 44 % = \$ 1,574,699 Residual Prog \$7,938,501 Co 35 % = \$ 2,778,475 State 65 % = \$ 5,160,026 Fed 0 % = \$ 0 PCSP \$ 15,318,372 Co 17 % = \$ 2,680,715 State 33 % = \$ 4,978,471 Fed 50 % = \$ 7,659,186 Monthly Activity Cases - 6200	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract* *Purchased services.	The program provides for in-home care to eligible aged, blind and disabled individuals who would be unable to remain safely in their own homes without this assistance. Social Services staff have the responsibility to do a face-to-face assessment of needs and eligibility for each client at time of application and at least yearly thereafter. Social Workers evaluate the need for each service and determine the amount of time required to perform them based on interview, observation, and review of ancillary information such as medical records. Services which can be authorized and paid for range from simple domestic tasks to paramedical tasks Payments are authorized to private care providers who are hired and supervised by the client or the client's guardian/authorized representative. Social Services Agency staff also have the responsibility to provide information and referral services to clients, assist in locating service providers, review documents to assure that payments authorized are correct, pursue overpayments and work with community agencies to assure clients are receiving services to enable them to remain safely in their own homes.

II. ADULT SERVICES

A. In-Home Supportive Services

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<p>A1. IHSS Provider Registry</p> <p>By regulation, the county must assist IHSS recipients to obtain a service provider when the recipient is not able to obtain one on his/her own.</p>	<p>Partial mandate.</p> <p>California Dept. of Social Services regulation 30-787.132</p> <p>AB 1653, Chaptered 9/26/93, Article 6, Section 15660, Chapter 11 of Part 3 of Division 9</p> <p>SB 1484, Chaptered 9/29/94 Added Section 12302.5</p> <p>AB 3477, Chaptered 8/27/94, Added Article 7 (Section 12300) of Chapter 3</p> <p>Welfare and Institutions Code</p> <p>Board of Supervisors Direction, Minutes of Meeting of 10/4/94.</p>	<p>Total \$ <u>35,393</u></p> <p>Co <u>57</u> % = \$ <u>20,174</u></p> <p>State <u>18</u> % = \$ <u>6,371</u></p> <p>Fed <u>25</u> % = \$ <u>8,848</u></p>	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input type="checkbox"/> Contract</p>	<p>Cost effective.</p> <p>In order to protect the agency and the county from increased liability, either by failure to provide the needed assistance or by unknowingly making an inappropriate referral, the Social Services Agency proposed in October of 1994 and in its FY 1994/95 budget submittal, that an IHSS Provider Registry be established to serve program clients. The purpose of the registry is to create a more reliable source of providers, to demonstrate the county's good-faith effort to meet the goal of maintaining persons safely in their own homes, and to take steps to obtain appropriate background information, including references and criminal records checks on potential providers.</p> <p>This activity is seen as a reasonable and prudent activity to protect clients from harm and the county from increased liability. On October 4, 1994 the Board of Supervisors directed the Social Services Agency to establish an IHSS Provider Registry. Funding for the Registry was approved in the FY 94/95 County Budget. Implementation is currently on hold due to county fiscal crisis</p>

II. ADULT SERVICES

B. Adult Protective Services

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<p><u>B. Adult Protective Services (APS)</u></p> <p>Adult Protective Services are directed at preventing or remedying neglect, abuse or exploitation of adults who are unable to protect their own interests because of age or disability.</p>	<p>Mandated</p> <p>Welfare and Institutions Code 15750 - 15754</p> <p>SB 1681 (Amending Section 15600-15659, Chaptered 10/94)</p> <p>County Counsel Opinion dated 2/9/90</p>	<p>Total - \$ <u>972,591</u></p> <p>Co <u>27%</u> = \$ <u>260,443</u></p> <p>State <u>62 %</u> = \$ <u>607,702</u></p> <p>Health <u>11%</u> = \$<u>104,446</u></p> <p>Average Monthly Activity</p> <p>Reports - 217</p> <p>Services Provided - 135</p> <p>Info & Referrals - 130</p>	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input checked="" type="checkbox"/> Contract*</p> <p>*Purchased services</p>	<p>Social Services Agency staff receive reports of suspected abuse and conduct investigations to determine the client's need for protection and to locate and coordinate available services and resources which will alleviate the need for protection. Staff provide crisis intervention services, complete an assessment of need, establish case plans and provide services to implement those plans. Other components of this program are: Twenty-four hour access to services, community education, and time-limited transitional care. These three components are not mandated, but are considered good public policy.</p> <p>By law, some people, such as physicians, nurses and employees of the county, are mandated to report suspected abuse and neglect of adults to SSA. Anyone may make such a report.</p> <p>Reports of abuse have increased 26% since FY 93/94. Cases referred for intervention by Social Services Agency staff have increased 39% during the same time period.</p>

II. ADULT SERVICES

C. Certification of Nonmedical Out-of-Home Care

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
C. Certification Of Nonmedical Out-Of-Home Care State regulations on the issuances of State Supplemental Program Payments (SSI) state that County Welfare Departments will provide certification of the need for non-medical out-of-home care when an applicant/recipient of SSI lives in the home of a relative or legal guardian/ conservator.	Mandated State Regulations: 46-140.61 46-140.65	Total - \$ <u>41,851</u> Co 17 % = \$7,115 State 33 % = \$13,811 Fed 50 % = \$ 20,925	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	The Adult Services Program performs this function for the Social Services Agency. Upon receiving a request from the Social Security Administration, agency staff do the following: Reviews case records if available, confers with other staff if case is known to the agency, or contacts individual involved in the care of the SSP recipient to verify the level of care being provided if the recipient is not known to the agency. Social Services Adult Services staff also work to resolve problems concerning the certification by working with the Social Security Administration. Finally, staff complete certification forms and submit them to the Social Security Administration.

II. ADULT SERVICES

D. Disaster Services

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>D. Disaster Services</u> The Orange County Emergency Plan designates the Social Services Agency as the Care and Shelter Coordinator in the event of an emergency in Orange County.	Not state or federal mandate. Board of Supervisors Resolution NOA: 87-922 91-1121 93-94 94-498 3915 State of Calif. Executive Order 9/9/91 State of Calif. Administrative Order W-9-91 State Disaster Plan	Total - \$ <u>56,356</u> Co <u>21</u> % = <u>\$11,835</u> State <u>44</u> % = <u>\$24,797</u> Fed <u>35</u> % = <u>\$19,724</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	This responsibility includes operating or assisting the American Red Cross in operating Reception and Care Centers, ensuring that Mental Health and Animal Control functions are carried out and that coordination with schools takes place. During disaster services costs will be at least partially offset by federal and state Emergency funds; planning and training efforts are pure county dollars. The Board could relieve SSA of this non-mandated function and rely totally on the American Red Cross to coordinate care and shelter.

III. EMPLOYMENT SERVICES

A. GAIN (Greater Avenues for Independence)

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
A. GAIN A federally mandated program administered by the counties under the direction of the California State Department of Social Services. Components include: 1. Orientation and Appraisal 2. Assessment 3. Education and vocational training 4. Job Services	Partial mandate; county required to offer all GAIN components at 1986 level - \$682,625. Sources: Federal Family Support Act, Section 482(a) CFR Sections 250.11 and 250.72 Article 3.2, Section 11320.2(b)(2) W&I Code State MPP Section 42-710.1(b)	Total - \$ <u>\$9,500,642</u> Co <u>8 %</u> = <u>\$760,051</u> State <u>41 %</u> = <u>\$3,895,263</u> Fed <u>51 %</u> = <u>\$4,845,327</u>	<input checked="" type="checkbox"/> SSA <input checked="" type="checkbox"/> Other Agency • CSA <input checked="" type="checkbox"/> Contract • People for Irvine Community Health (nonprofit) • Various County Regional Occupation Programs(ROP) • Foster Assessment (profit) • Curtis and Associates (private for profit) • MAXIMUS, Inc. (Profit) • State Employment Development Department • Various Community College Districts • Various Unified School Districts • JTPA PIC's	<p>The program requires certain AFDC recipients to participate and provides each participant with a package of employment, training and supportive services, including child care and transportation resulting in employment leading to self-sufficiency from welfare. Counties are required to provide a full range of services, including program orientation, assessment, job services, basic education, vocational training, on-the-job training, and work experience. Case managers, employed by SSA and one private for-profit company, determine the appropriate service for each participant based on federal, state and local requirements, and refer GAIN participants to a variety of agencies for services, including community colleges, adult education providers, Private Industry Councils, community-based organizations, and the Employment Development Department. Case Managers review and authorize necessary payments for supportive services, e.g. child care, which the program is mandated to provide for participants. Case managers also work with participants to remove their employment barriers and recommend sanctions (AFDC reductions) for participants who do not cooperate with the program and do not have a good reason for doing so.</p> <p>Orange County only has sufficient funding to serve 7,200, or roughly one third, of its mandatory caseload. The program had 2,579 job placements in Program Year 93/94 and is projected to have 3,500 by June 1995.</p> <p>NOTE: If GAIN were reduced to the minimum mandated level, this would result in an increase in NET program child care expenditures. At current year funding level, GAIN is estimated to produce \$3.77 million in AFDC grant savings (50% federal, 47.5% state, 2.5% county).</p>

III. EMPLOYMENT SERVICES

B. Child Care Programs

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
B1. Transitional Child Care A national/federally mandated program administered by the counties under the direction of the California Department of Social Services.	Mandated Sources: Federal Family Support Act Section 302 CFR Section 256 Welfare and Institutions Code 1500 Code/State MPP Sections 47-110	Total - \$ <u>\$559,224</u> Co <u>0</u> % = \$ <u>0</u> State <u>50</u> % = \$ <u>279,612</u> Fed <u>50</u> % = \$ <u>279,612</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Counties are required to provide funding for up to 12 months of child care to former AFDC recipients who are no longer eligible for AFDC due to employment when certain eligibility criteria are met. SSA staff determine eligibility and process child payments. The origin of this mandate is a belief that the provision of child care funding will help encourage and support welfare recipients to find and keep employment.
B2. AB 2184 A state mandated program to document child care provided to AFDC clients.	Mandated AB2184 Welfare and Institutions Code 11008.19 State MPP Sections 42-1101 & 42-1102.1	Total - \$ <u>\$148,412</u> Co <u>0</u> % = \$ <u>0</u> State <u>50</u> % = \$ <u>74,206</u> Fed <u>50</u> % = \$ <u>74,206</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	The California Department of Social Services and the California Department of Education (CDE) are required to establish a system for documenting child care usage to AFDC recipients in CDE's subsidized child care system in order to capture federal funds which fund additional child care subsidy slots. Per state regulations, SSA staff are required to track and report specific data on certain AFDC recipients, working in conjunction with local CDE funded child care providers.

III. EMPLOYMENT SERVICES

B. Child Care Programs

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
B3. NET The California Department of Social Services has been mandated under federal court order to require counties to provide payment for child care to AFDC recipients in approved education and training activities who cannot be served in GAIN..	Mandated Family Support Act Section 301 CFR Section 255.2(a)(2) DHHS JOBS Action Transmittal 91-15 State All County Letter 92-61	Total - \$ 348,324 Co <u>15</u> % = \$ 52,249 State <u>35</u> % = \$121,913 Fed <u>50</u> % = \$ 174,162	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Since Orange County does not have sufficient funding to serve all of its mandatory AFDC recipients in GAIN, we are mandated to operate a Non-GAIN Education and Training (NET) program. SSA staff determine eligibility, make payments, and refer those NET participants who meet GAIN eligibility to GAIN for services If GAIN is reduced to the minimum funding level, we estimate NET expenditures will increase by an additional \$420,000 due to discontinued GAIN participants meeting NET eligibility.

III. EMPLOYMENT SERVICES

C. Cal- Learn

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
C. Cal-Learn	Mandated	Total - \$ <u>759,000</u>	<input checked="" type="checkbox"/> SSA	CAL-Learn is a statewide/state mandated program administered by counties under the direction of the California Department of Social Services. Teen parents on AFDC under age 19 who have not graduated from high school are required to participate until they graduate or turn 19. SSA administers the program; through an agreement with HCA's Adolescent Family Life Program Staff who provide case management services per state regulation. School progress is measured and AFDC grant bonuses or reductions are imposed by SSA staff on teen parents based on reports from HCA staff. In addition, a \$500 bonus is granted to participants upon graduation. HCA staff remove barriers to program participation, explain program requirements, authorize supportive services, including child care and transportation necessary for the teen parent to attend school, enforce program requirements, and refer teen parents who are no longer eligible for CAL-Learn services to GAIN for employment. Counties are required per regulation to serve their entire teen parent caseload by September 01, 1995. Orange County had originally planned to be fully operational by January 1, 1995 but has delayed startup of a second Cal-Learn Unit due to the county fiscal crisis.
C1. <u>Case Management</u>	Welfare and Institutions Code 11334.2	Co <u>0</u> % = \$ <u>0</u>	<input checked="" type="checkbox"/> Other Agency	
	State MPP 42-767	State <u>50</u> % = \$ <u>379,500</u>	HCA	
		Fed <u>50</u> % = \$ <u>379,500</u>	<input type="checkbox"/> Contract	
C2. <u>Administration</u>		Total - \$ <u>122,296</u>		
		Co <u>15</u> % = \$ <u>18,344</u>		
		State <u>35</u> % = \$ <u>42,804</u>		
		Fed <u>50</u> % = \$ <u>61,148</u>		
C3. <u>Support Services</u>		Total - \$ <u>386,691</u>		
		Co <u>0</u> % = \$ <u>0</u>		
		State <u>50</u> % = \$ <u>193,345</u>		
		Fed <u>50</u> % = \$ <u>193,345</u>		

III. EMPLOYMENT SERVICE

D. Refugee Services

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
D. Refugee Services D1. Refugee Employment Social Services (RESS) <p>RESS funds allocated to Orange County provide integrated employment services for newly arrived refugees on Cash Assistance (RCA), and GAIN services for refugees on AFDC.</p>	<p>Not mandated.</p> <p>Program could be returned to state.</p>	<p>Total - \$1,589,773</p> <p>12 month program starting 10/1/94 and ending 9/30/95.</p> <p>Co <u>0</u>% = \$ _____</p> <p>State <u>0</u>% = \$ _____</p> <p>Fed <u>100</u>% = \$ <u>1,589,773</u></p>	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input checked="" type="checkbox"/> Contract</p> <ul style="list-style-type: none"> • Cambodian Family • Catholic Charities • St. Anselm's • Vietnamese Community of Orange County • GAIN contractors (See Page 22) 	<p>Not mandated.</p> <p>We do not recommend returning the program to the state because of its cost effectiveness and service to the community.</p> <p>Approximately 1/3 RESS funds are used to fund GAIN services.</p> <p>In federal fiscal year 1993 (10/1/93 - 9/30/94), 1,961 refugees were placed in employment through these services, resulting in a decreased welfare cost of \$309,747 for AFDC and RCA. Cost avoidance is also realized in the General Relief Program for RCA recipients who find jobs before their time limit for federal assistance ends. The cost avoidance is \$608 per refugee who finds employment.</p>
D2. Refugee Target Assistance Program (TAP) <p>TAP funds allocated to Orange County provide integrated employment services for newly arrived refugees on Cash Assistance (RCA), and GAIN services for refugees on AFDC.</p>	<p>Not mandated.</p> <p>Program could be returned to state.</p>	<p>Total - \$1,666,279</p> <p>12 month program starting 10/1/94 and ending 9/30/95.</p> <p>Co <u>0</u>% = \$ _____</p> <p>State <u>0</u>% = \$ _____</p> <p>Fed <u>100</u>% = \$ <u>1,666,279</u></p>	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input checked="" type="checkbox"/> Contract</p> <ul style="list-style-type: none"> • Cambodian Family • Catholic Charities • St. Anselm's 	<p>Not mandated.</p> <p>We do not recommend returning the program to the state because of its cost effectiveness and service to the community.</p> <p>Approximately 1/3 of TAP funds are used to fund GAIN services.</p> <p>In federal fiscal year 1993 (10/1/93 - 9/30/94), 1,961 refugees were placed in employment through these services, resulting in a decreased welfare cost of \$309,747 for AFDC and RCA. Cost avoidance is also realized in the General Relief Program for RCA recipients who find jobs before their time limit for federal assistance ends. The cost avoidance is \$608 per refugee who finds employment.</p>

III. EMPLOYMENT SERVICE

D. Refugee Services

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
D3. Key States Initiative Grant To increase the AFDC Refugee client's self sufficiency by moving from GAIN into full-time employment and to assist secondary wage earners to obtain employment.	Not mandated. No funds for this program beyond 9/30/95.	Total - \$238,000 12 month program starting 10/1/94 and ending 9/30/95. Co 0% = \$ 0 State 0% = \$ 0 Fed 100 % = \$ 238,000	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Not mandated. No funds for this program beyond 9/30/95. Cost effective; currently in last year of 3-year grant. Not recommended to return to the state at this point, because it would dismantle a program in its last year.
D3. Vietnamese Former Refugee Education Camp Detainees. These funds are provided for special services to Vietnamese Former Political Prisoners. Funds allocated to Orange County are used to provide orientation, social adjustment counseling, cultural orientation and employment services for former political prisoners of the Vietnamese government and their family members.	Not mandated. No funds for this program beyond 9/30/95.	Total - \$398,956 12 month program starting 10/1/94 and ending 9/30/95. Co 0% = \$ 0 State 0% = \$ 0 Fed 100 % = \$ 398,956	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract <ul style="list-style-type: none"> Catholic Charities Vietnamese Community of Orange County SSA administers the funds for this program, but does not have staff providing direct services	Not mandated. No funds for this program beyond 9/30/95. Not recommended to return to the state at this point, because it would dismantle a program in its last year.

III. EMPLOYMENT SERVICES

E. General Relief Work Program

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>E1. General Relief Work Program</u> Work Program for employable and conditionally employable GR clients.	Not Mandated Cost effective Assists in controlling General Relief costs. Source: Board of Supervisors Resolution 81-1319	Total - \$ <u>915,464</u> Co <u>29</u> % = \$ <u>265,485</u> State* <u>9</u> % = \$ <u>82,392</u> Fed* <u>62</u> % = \$ <u>567,588</u> *Although General Relief is a 100% county funded program, federal and state funds are available through FSET (see below) to fund the Work Program.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract <ul style="list-style-type: none"> Work sites provide supervision of Work Program participants at no cost. 	The General Relief Work Program is not mandated but assists in controlling General Relief costs. Employable and conditionally employable (clients who have some work restrictions) GR recipients are referred to work program staff who explain program requirements. These requirements include assignment to public or private non-profit worksites, as well as mandatory job search activities on the days clients are not assigned to worksites. All activities are closely monitored by SSA staff; sanctions, either a three or six month removal from aid, are imposed on clients who do not comply with program requirements without good cause. The program is cost effective - in the past year, over half of the average GRWP monthly caseload of 1,068 has terminated each month. 77% of these monthly terminations are due to sanctions for failure to comply with program requirements.
<u>E2. Food Stamp Employment and Training Program (FSET)</u> A national/federally mandated program administered by counties under direction of the California Department of Social Services.	Mandated 7 CFR Ch. 11, Section 273.7(c)(3)	Total - \$ <u>679,145</u> Co <u>5</u> % = \$ <u>33,957</u> State <u>12</u> % = \$ <u>81,497</u> Fed <u>83</u> % = \$ <u>563,690</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	SSA staff provide job search assistance to GRWP participants who also receive food stamps. Under regulation, SSA is required to provide transportation up to a federally prescribed monthly limit. Utilizing FSET funding to provide services to GRWP participants assists the county by reducing the amount of general funds needed for GRWP.

IV. FINANCIAL ASSISTANCE

A. Aid to Families with Dependent Children (AFDC)

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
A. AFDC FG/U Aid to Families with Dependent Children, Family Group/ Unemployed Parent programs.	Mandated Welfare and Institutions Code 11200 & 11450 45 CFR 206.10, 45-233.10, 45-233.20, and 45-234.60	Admin Total - \$ 36,120,978 Co <u>15 %</u> = \$ 5,418,147 State <u>35 %</u> = \$12,642,342 Fed <u>50 %</u> = \$18,060,489 Pymt Total - \$276,553,850 Co <u>2.5 %</u> = \$6,614,706 State <u>47.5 %</u> = \$125,679,420 Fed <u>50 %</u> = \$132,294,126 Other (Reain) \$11,965,598 Monthly Activities <u>Continuing:</u> Cases - 42,166 Persons - 118,177 <u>Intake:</u> Cases - 3,616 Persons - 10,848	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Level of service and mandated time frames: <ul style="list-style-type: none"> • 45 days to approve/deny new applications. • Emergency immediate need payments (IN) required by next work day on most applications. • Process client mail-in reports (CA7's) monthly on every case. • Yearly face-to-face interviews on every case to redetermine eligibility. • Budget status changes monthly and issue notification to clients 10 days prior to changes. • Complete an intercounty transfer within 30 days of the notification from the county. • Initiate intercounty transfer within 7 days when beneficiary moves to another county. • Must submit District Attorney referrals within 2 days of determination • Evaluate cause for noncooperation with District Attorney within 45 days. • Issue 10-day timely notice of action prior to taking any negative action • 96% accuracy required to meet federal fiscal sanction tolerance levels.
A1. CHDP Child Health Disability Prevention referrals are mandated. Also applies to Medi-Cal cases.	Mandated Welfare and Institutions Code 14016.6 45 CFR 250.40 (a) (b) (c)	See A. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Provide information to all applicants, and yearly to recipients, on options available through Medi-Cal to managed health care enrollment. Process completed choice forms. State audits for compliance are periodically conducted.

IV. FINANCIAL ASSISTANCE

A. Aid to Families with Dependent Children (AFDC)

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>A2. Homeless Assistance</u> Special need payment to assist applicants and recipients who have no fixed or regular nighttime residence.	Mandated Welfare and Institutions Code 10553, 10554, 11209, 11266(a) (2), 11271, 11272, 11450 (a) (1), (b), (c), 11450 (f) (2), 11450 (g) and 11453.2	See A. Above. Monthly Activity Requests - 282	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> • Issue temporary or permanent payment the same day as requested. • Temporary payments issued in 7-day increments. • Verify homelessness within 3 days.
<u>A3. RISP</u> Reduced Income Supplemental Payment is issued when actual income is less than the retrospectively budgeted income due to a decrease in income or a change in disregards.	Mandated Welfare and Institutions Code 11450.2 45 CFR 233.27	See A. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> • Approve/deny within 7 working days • Contact employer if discrepancy in information exists

IV. FINANCIAL ASSISTANCE

A. Aid to Families with Dependent Children (AFDC)

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
A4. Asset/Income Matches Computerized matching requirement for all AFDC applicants and recipients. Also applies to Medi-Cal cases and Food Stamp cases.	Mandated Welfare and Institutions Code 10725, 10740, 11004, 11025, 14001, 14014, 14016.9, 14124.5. Section 433.138(c)(d), 435.940-435.965 Title 42 of United States Code CFR Title 45-205.56	See A. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Level of service and other program requirements: <ul style="list-style-type: none"> • IEVS must be completed within 45 days. • Earnings Clearance System - provided on a quarterly basis; must be completed within 45 days. • Franchise tax board - annual basis; complete within 45 days. • IRS Asset Match - annual basis; completed within 45 days of date. • Federal Benefit Earnings Employer Records - monthly basis; completed within 45 days of date.
A5. Alien Matches INS computer applicant matches for alien verifications. Also applies to Medi-Cal cases and Food Stamp cases.	Mandated Welfare and Institutions Code 10815, 10950, 10965, 14007.5, 14011, 14124.5	See A. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	SAVE (Systematic Alien Verification of Eligibility) Match must be completed on the majority of aliens before approval of Medi-Cal benefits and at yearly redeterminations of eligibility. 21% require further follow up and client contact.

IV. FINANCIAL ASSISTANCE

A. *Aid to Families with Dependent Children (AFDC)*

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>A6. Court Cases</u> Additional workload for Eligibility Staff includes case reviews, re-evaluation of eligibility with retroactive budget computations and overpayment/underpayment computations.	<p>Mandated</p> <p>Implementation is based on Court orders issued to the State.</p> <p>The state in turn issues written instructions to counties. Failure of a county to comply places entire state at risk of court order violation.</p> <p>Over 30 court orders in the last two years required immediate compliance.</p>	See A. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>These court cases are active and monitored by the State Department of Social Services for compliance:</p> <p>Balderas v. McMahon</p> <p>When a Monthly Report (CA7) has not been received prior to closing the case a telephone or a face to face meeting is required. If recipient can't be personally contacted, a written reminder notice must be mailed 5 days prior to last calendar day of the month.</p> <p>Rutan v. McMahon</p> <p>Provide Lump Sum Informing Notice at application and at annual redetermination. The court order also mandates that counties orally advise applicants and recipients of the importance of the notice when given, and shall document notice was given in case file.</p> <p>Saldivar v. McMahon</p> <p>A timely Notice of Adverse Action (10 days) must be sent to all recipients prior to reducing or terminating benefits regardless of when CA7 is received.</p> <p>Steffens v. McMahon</p> <p>Required reporting of applications processed after 45 days. Imposed performance level that agency delays may not exceed 2% of the applications. Corrective Action Plan required of non-compliant counties.</p> <p>WRL v. McMahon</p> <p>Expansion of emergency immediate need payments, so most applicants are eligible. Mandates counties be reviewed for compliance with provisions by state. Numerous procedural requirements were imposed.</p>

IV. FINANCIAL ASSISTANCE

A. *Aid to Families with Dependent Children (AFDC)*

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>A7. Cal-Leam</u> Bonuses and Sanctions are the responsibility of the AFDC ET. Adult Services administers the services portion.	Mandated Welfare and Institutions Code 11450, 11331.5, 11331.7, 11332, 11332.5(a) (3), 11333.7(a), (b) (1) and (d), and 11334.2.	See A. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> Identify participants Issue payments or impose sanctions within one month.
<u>A8. Overpayment Collections:</u> Additional workload for Eligibility Staff, requires additional budget computations and grant adjustments. **Enhanced funding of County match is available if specified collection targets are reached per SB 627. Also applies to Medi-Cal cases.	Mandated W&I Code 11017, 11155, 11155.1, 11155.2, 11257, 11452, 11453. 45 CFR 233.20(a) (3) i (B) and (a) (3) I (a) (13) (i) (A) (2) and the Federal Terms and Conditions for the California Work Pays Demonstration Project as approved by the United States Department of Health and Human Services on March 9, 1994.	See A. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> Determination of fraud/non-fraud and initiate recovery promptly.

IV. FINANCIAL ASSISTANCE

A. Aid to Families with Dependent Children (AFDC)

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
A9. Special Investigation Unit (SIU) Investigates suspected applicant/recipient fraud in AFDC and Food Stamp Programs.	Mandated 45 CFR 235.110, 235.111, 235.112, 235.113 Penal Code Section 830.35 State Manual of Policy and Procedures 20-003, 20-005, 20-007, 20-008	Admin Total - \$ 5,267,516 Co 3.33 % = \$ 175,408 State 46.67% = \$ 2,458,350 Fed 50% = \$2,633,758	<input checked="" type="checkbox"/> SSA <input checked="" type="checkbox"/> Other Agency • District Attorney <input type="checkbox"/> Contract	Level of service is only recommended by the state. Controls county costs and recoups overpayments in a highly cost-effective manner. In Orange County, SIU is used heavily with applicants to prevent fraudulent access to benefits.
A10. Motor Voter Federal law designating Welfare Offices as Voter Registration sites. Also applies to Medi-Cal cases and Food Stamp cases.	Mandated Eff. 1/1/95 Federal Law: National Voter Registration Act of 1993	Admin Total - \$ _ Co 50 % = \$ State 0 % = \$ Fed 50 % = \$ No costs calculated at this point.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	County Welfare departments are required by Federal Law to: <ul style="list-style-type: none"> • Provide voter registration forms to all applicants/recipients. • Offer each client voter registration services including the provision of assistance to clients in filling out the forms and sending new forms with address changes and at yearly redetermination. • Forward completed forms to County Registrar of Voters and complete statistical reports. Note: The state has instructed County Welfare Departments to implement "to the extent federal funds are available," reflective of the Governor's position that this is an unfunded mandate. Federal funds to pay all costs are not available. The U.S. Attorney General has initiated legal action to force California to comply.

IV. FINANCIAL ASSISTANCE

B. Other AFDC Related Programs

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
B1. RCA Refugee Cash Assistance provides 8 months of assistance for refugees entering the U.S.	Mandated 45 CFR 400 and 400.2	Total - \$ 6,593,520 Co <u>.001</u> % = \$ 73 State <u>.02</u> % = \$1,395 Fed <u>99.98</u> % = \$6,536,997 Other (Realin) \$55,055 Average Monthly Activity <u>Continuing</u> Cases - 1,466 <u>Intake</u> - Cases - 247	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> 45 days to approve/deny new applications. Process reports (CA7s) monthly. Monitor employment services cooperation. Periodic state/federal compliance audits for funding.
B2. SCC Supplemental Child Care Program is designed to assist families with child care costs and therefore encourage working.	Mandated Welfare and Institutions Code 11451.7	Total Pymt \$ 280,224 Co <u>2.5</u> % = \$7,006 State <u>47.5</u> % = \$ 133,106 Fed <u>50</u> % = \$140,112	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> Provide program information. Issue payment monthly.
B3. CAAP California Alternative Assistance Program allows eligible, working AFDC clients to choose to receive child care assistance and Medi-Cal instead of an AFDC grant.	Mandated Welfare and Institutions Code 11280	New program - no data at this time on payments. Co <u>2.5</u> % = \$ State <u>47.5</u> % = \$ Fed <u>50</u> % = \$	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> Provide program information. Issue payment monthly
B4. Repatriate Program Assistance for indigent United States citizens abroad who lack the means to return home.	Mandated Federal - 45 CFR 211, 212 State Manual 68-100	None budgeted for this FY. Co <u>0</u> % = \$ State <u>0</u> % = \$ Fed <u>100</u> % = \$	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Assistance depends on the individual situation. The last major use of this program was during the Gulf War.

IV. FINANCIAL ASSISTANCE

C. Foster Care

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
C. Foster Care Out-of-home care for dependent children who have been removed or are in danger of removal from their homes because they are at risk of abuse, neglect, abandonment or exploitation.	Mandated. W & I Code: 16500 and 16501 Federal – 45 CFR 233.110	Varies per federal and state programs. See below. Monthly Activity Children - 2,426 Applications - 229	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> • 45 days to approve/deny applications. • Budget changes as reported. • Evaluate eligibility twice a year. • Monitor placement and age to determine correct payment rate. • Issue special need payments as authorized by Social Worker.
C1. Federal Foster Care Federally funded out-of-home care for dependent children who meet certain criteria.	Mandated. See above.	<u>Payment</u> Total - \$ 27,679,491 Co 33% = \$9,134,232 State 17% = \$ 4,705,513 Fed 50% = \$13,839,745 <u>Administration</u> Total - \$ 925,890 Co 15 % = \$138,883 State 35% = \$324,062 Fed 50% = \$462,945		Same as above. Incorrect designation on federal eligibility increases county cost.

IV. FINANCIAL ASSISTANCE

C. Foster Care

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>C2. State Foster Care</u> State funded out-of-home care for dependent children.	Mandated. See above.	<u>Payment</u> Total - \$ <u>16,603,005</u> Co <u>60 %</u> = \$ <u>9,961,803</u> State <u>40%</u> = \$ <u>6,641,202</u> Fed <u>0 %</u> = \$ <u>0</u> <u>Administration</u> Total - \$ <u>647,448</u> Co <u>15%</u> = \$ <u>97,117</u> State <u>35%</u> = \$ <u>226,607</u> Fed <u>50 %</u> = \$ <u>323,724</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Same as above. Incorrect designation on nonfederal eligibility increases county cost.
<u>C3. County Foster Care</u> County funded out-of-home care for dependent children who are not eligible to Federal or State Foster Care.	Mandated. See above.	<u>Payment</u> Total - \$ <u>2,477,460</u> Co <u>100 %</u> = \$ <u>2,477,460</u> State <u>0%</u> = \$ <u>0</u> Fed <u>0 %</u> = \$ <u>0</u> <u>Administration</u> Total - \$ <u>277,478</u> Co <u>15%</u> = \$ <u>41,622</u> State <u>35%</u> = \$ <u>97,117</u> Fed <u>50 %</u> = \$ <u>138,739</u>		Same as above. <ul style="list-style-type: none"> • Monitor case for change in status to establish federal or state eligibility to reduce county costs. • PRUCOL - INS process for certain undocumented aliens must be submitted within 10 days.

IV. FINANCIAL ASSISTANCE

C. Foster Care

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>C4. Unaccompanied Minors</u> Federal program for children under the age of 18 yrs. who entered the United States unaccompanied by a parent or close nonparental adult relative who is willing and able to care for the child.	Mandated 45 CFR 400.111, 400.113, 400.115, 400.120, 400.205.	See C. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Same as above.
<u>C5. EA</u> Federal Emergency Assistance program designed to provide services/assistance to (state/county eligible) children that are removed or are in danger of removal from their homes because they are at risk of abuse, neglect, abandonment or exploitation. Revenue generating.	Mandated Statewide participation is mandatory for this program. Welfare and Institutions Code 16501 (a) (3) Federal -- 45 CFR 233.120 Monthly Activity Children - 917	Actuals through 12/94 <u>Payment</u> Total - \$ 1,799,162 Co 30 % = \$ 539,749 State 20 % = \$ 359,832 Fed 50% = \$899,581 <u>Administration</u> Total - \$ 173,420 Co 15% = \$ 26,013 State 35% = \$ 60,897 Fed 50 % = \$86,710 EA General Relief Total - \$ 245,974 Co 50% = \$ 122,987 State 0% = \$ 0 Fed 50 % = \$122,987	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> • 30 days to process applications. • Track and monitor cases through state computer system (ACE). • Determine abatement status. • Convert case to state eligibility at the end of 12 months.

IV. FINANCIAL ASSISTANCE

D. Adoptions

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
D. AAP Adoption Assistance Program provides payments for special needs children who are hard to place.	Mandated Welfare and Institutions Code 16115 and 16120 45 CFR 233.110 and 1356.40 (d).	Varies with state and federal programs. See below. Monthly Activity Cases - 969 New - 11	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> • 45 days to approve/deny applications. • Budget changes as reported. • Evaluate eligibility twice a year. • Monitor placement and age to determine correct payment rate. • Issue special need payments as authorized by Social Worker.
D1. Federal AAP Children who meet certain criteria are eligible to federal funding.	Mandated. See above.	<u>Pymt Total - \$ 2,991,189</u> Co <u>12.5</u> % = \$373,899 State <u>37.5</u> % = \$1,121,696 Fed <u>50</u> % = \$1,495,595 <u>Administration</u> Total - \$ 16,664 Co <u>0</u> % = \$ State <u>50</u> % = \$8,332 Fed <u>50</u> % = \$8,332	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	As listed above.
D2. State Only AAP Program for children who do meet the criteria for federal eligibility.	Mandated. See above.	<u>Pymt Total - \$ 2,461,292</u> Co <u>25</u> % = \$615,323 State <u>75</u> % = \$1,845,969 Fed <u>0</u> % = \$ <u>Administration</u> Total - \$ 16,648 Co <u>0</u> % = \$ State <u>100</u> % = \$16,648 Fed <u>0</u> % = \$	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	As listed above.

IV. FINANCIAL ASSISTANCE

E. Medi-Cal

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
E. Medi-Cal Medical services for categorically eligible persons, regardless of citizenship/alienage.	Mandated Title XIX of the Social Security Act, State Plan; United States Code; Public Law Statutes; Code of Federal Regulations; IRCA and OBRA Law, various years; California Administrative Code, Title 22, Division 3; Welfare and Institutions Code; State and Federal Legislation pending final in appropriate federal and state regulations.	Total - \$ 39,861,314 Co 0 % = \$ 0 State 50.1% = \$19,970,518 Fed 49.9% = \$19,890,796 The county does not have a share in administration or benefits. Monthly Activity <u>Continuing:</u> Cases - 86,827 Persons - 116,429 <u>Intake:</u> Cases - 10,191 Persons - 13,224	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Level of service and other program requirements: <ul style="list-style-type: none"> Earnings Clearance System - quarterly basis; completed within 45 days. Franchise tax board - annual basis; complete within 45 days. IRS Asset Match - annual basis; completed within 45 days of date. Federal Benefit Earnings Employer Records - monthly basis; completed within 45 days of date. SAVE (Systematic Alien Verification of Eligibility) Match completed at intake and annual redetermination. Many require further follow up and client contact. PRUCOL - INS process, submitted within 10 days. Must complete a face-to-face interview at time of application, reapplication, restoration within 30 days from the date of application. Determine eligibility and share of cost no later than 45 days. The processing time is extended to 90 days if disability must be established. Complete a redetermination of eligibility annually. Completed Status Reports on a quarterly basis. Beneficiaries who fail to comply are discontinued. Submit disability determination request to the State Department of Social Services within 90 days of request. Initiate intercounty transfer within 7 days when beneficiary moves to another county. Must submit District Attorney referrals within 2 days of determination Evaluate cause for noncooperation with District Attorney within 45 days. Negative actions - 10-day timely notice of action prior to taking any negative action

IV. FINANCIAL ASSISTANCE

E. Medi-Cal

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
E1. TMC/CMC Transitional Medi-Cal for special category of persons discontinued from AFDC	Welfare and Institutions Code 10725, 14005.1, 14050.1, 14124.5; Section 14, AB 1557, Chapter 1447, Statutes of 1984	See E. above	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<ul style="list-style-type: none"> MEDI-CAL Card Issuance - emergency cards are issued the day of request. Evaluate fraudulent situations, compute overpayment and complete fraud referrals when beneficiary receives medical benefits for which ineligible or should have received at higher share of cost.
E2. Edwards-Transitional Medi-Cal For all other persons discontinued from AFDC and Foster Care	Title 22, California Code of Regulations; Edwards v Meyers Court Judgment, 1982.	See E. above	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	See E. above
E3. Special Minor Limited Services: Provides specialized treatment services for children under 21 to obtain medical care without parental consent	Welfare and Institutions Code 10725, 14005.1, 14005.4, 14005.7, 14008, 14008.5, 14010, 14011, 14017, 14018, 14088.3, 14124.5; Sections 25.6, 25.9 and 34.5, 34.7, 34.9, 34.10 Civil Code.	See E. above	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	See E. above

IV. FINANCIAL ASSISTANCE

E. Medi-Cal

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
E4. Court Cases Additional workload for Eligibility staff includes retroactive budget computations and overpayment/underpayment computations	Mandated Implementation is based on Court orders issued to the State.	See E. above	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	<p>These court cases are active and monitored by the State Department of Health Services for compliance:</p> <p>Disabled Rights Union v. Kizer Persons currently eligible for Medi-Cal based on disability who are denied SSI/SSP based disability must continue to receive county-based Medi-Cal pending all SSI/SSP appeal processes without interruption or change in scope of benefits.</p> <p>Edwards v. Kizer Persons discontinued from AFDC and Foster Care benefits must be given an opportunity to have on-going Medi-Cal benefits determined without a new application request. CWD must continue benefits under the Edwards program until that determination can be completed.</p> <p>Hunt v. Kizer Provide notification to all applicants of right to apply unpaid medical expenses for prior months to current month share of cost. Created major workload in evaluating old bills against court mandated criteria, budgeting and notification of allowance or disallowance of offset to share of cost.</p> <p>Johnson v. Rank Provide notification to all applicants for Long-Term Care of right to apply all other medical services towards share of cost before paying/obligating towards LTC expenses.</p> <p>Lynch v. Rank Persons discontinued from SSI/SSP because of the annual Social Security COLA must be given an opportunity for four months continued Medi-Cal coverage and an opportunity to submit an application under the Pickle Amendment to the Social Security act.</p>

IV. FINANCIAL ASSISTANCE

E. Medi-Cal

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<p><u>E4. Court Cases</u> (Continued)</p> <p>Additional workload for Eligibility staff includes retroactive budget computations and overpayment/underpayment computations</p>	<p>Mandated</p> <p>Implementation is based on Court orders issued to the State.</p>	<p>See E. above</p>	<p><input checked="" type="checkbox"/> SSA</p> <p><input type="checkbox"/> Other Agency</p> <p><input type="checkbox"/> Contract</p>	<p>Radcliffe v. Kizer</p> <p>Persons applying for Medi-Cal on the basis of disability must have a disability determination or notification of delay in determination by the 90th day from the date disability status is declared. The CWD must control and submit the disability request to SDSS DED by the 80th day or issue the delayed notification..</p> <p>Ramos v. Meyers</p> <p>Persons discontinued from SSI/SSP for reasons other than the Social Security annual COLA must be given an opportunity for one's month continued Medi-Cal coverage and an opportunity to submit an application to the county to be evaluated for on-going benefits.</p> <p>Ruiz v Kizer, Crespin v. Kizer, Crespin v Coye</p> <p>Lawsuits were filed as a result of the implementation of the Federal OBRA 1986 regulations implemented in October 1988. CWD must obtain a completed declaration of citizenship/alienage and request for full or restricted scope of medical benefits based on that request for every individual, in addition to the statement of facts that requests that information at the case level.</p> <p>CWD must provide a minimum of 30 days for an alien declaring illegal alien status who is in a long-term-care facility or receiving renal dialysis treatment to complete a request for special evaluation by the Immigration and Naturalization Service.</p> <p>Sawyer v. Shalala/Belshe</p> <p>CWD must identify all applicants/beneficiaries with income from Workers' Compensation ongoing until final settlement. Lawsuit challenges state's identification of these monies as unearned income as monies are paid for a temporary not permanent disability.</p>

IV. FINANCIAL ASSISTANCE

E. Medi-Cal

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
E4. Court Cases (Continued) Additional workload for Eligibility staff includes retroactive budget computations and overpayment/underpayment computations	Mandated Implementation is based on Court orders issued to the State.	See E. above	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Sneede v. Kizer Financial responsibility can only be considered in spouse-to-spouse and parent-to-child relationships. Eligibility for Medi-Cal must be considered at the person level based on this criteria. Created major workload in determining responsibility between family members, complicated budgeting and allocation methodology, multiple notifications to family based on person level eligibility. Tinoko v. Belshe CWD must identify all applicants/beneficiaries with income from State Disability ongoing until final settlement. Lawsuit challenges SDHS identification of these monies as unearned income.
E5. MSI Indigent not categorically eligible for Medi-Cal, limited to citizens and legal resident aliens.	Mandated Welfare and Institutions Code 17000	Total - \$ <u>413,274</u> Co <u>26 %</u> = \$ <u>107,451</u> State <u>74%</u> = \$<u>305,823</u> Fed <u>0%</u> = \$<u>0</u> Monthly Activity <u>Continuing:</u> Cases/Persons - 16,117 <u>Intake:</u> Cases/Persons - 2,253	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency HCA <input type="checkbox"/> Contract	

IV. FINANCIAL ASSISTANCE

F. FOOD STAMPS

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
F. Food Stamps A federally mandated program intended to improve the food purchasing ability of low income persons and families and thereby improving nutrition.	Mandated Welfare and Institutions Code 18900 - 18923 Food Stamp Act 1977 P.L. 95-113 Code of Federal Regulations, Part #7 271-282	Admin funding Total - \$ <u>25,940,924</u> Co 15 % = \$3,891,139 State 35 % = \$9,079,323 Fed 50% = \$ <u>12,970,462</u> Benefit funding 100% federal Monthly Activity Cases - 55,214 Person - 152,914	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Mandated functions/service levels: <ul style="list-style-type: none"> • Benefits must be made available to the applicant within 3 days of the application in emergency situations (federal rules require 5 days, state law requires 3 days). • Applications must be approved or denied, or a written notice of pending status issued, by the 30th day following the date of application. • Households must be recertified on a regular process basis. These periods range from 3 to 14 months. No benefits may be issued beyond the assigned certification period without a reapplication. • The majority of clients are required to file a written report monthly. Staff must review and process these reports promptly. • Issue 10-day timely notice prior to taking any negative action. • When a loss of benefits is reported, action must be taken to issue or deny the replacement within 10 calendar days of the report or within 2 working days of receiving an affidavit, whichever is later. • Computation of overissuances must be processed, redemption verified, and allotment adjusted applied or referral for collections. • IEVS Applicant matches, IEVS Payment Verification System matches, IEVS Earnings Clearance matches, IEVS Franchise Tax Board matches, IRS Asset matches, and Federal Benefit Earnings Employer Records must be reviewed and processed within 45 days of the state match. • Systematic Alien Verification of Eligibility matches must be completed on all applicants and recipients who provide alien verification documents. Many require further follow up and client contact.

IV. FINANCIAL ASSISTANCE

F. FOOD STAMPS

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>F. Food Stamps</u> (Continued)	See F. above.	See F. above.	See F. above.	<ul style="list-style-type: none"> 90% accuracy level required to meet federal fiscal sanction tolerance levels. Photo identification cards are mandated in any county with 100,000 recipients. Compliance is required 12 months after notification of the requirement by the Food and Consumer Service.
<u>F1. FSET - Employment & Training</u> Monitors job search activities to enhance employment opportunities.	Mandated 7 CFR Ch. 11, Section 273.7(c)(3) Allocation is a set amount, when it runs out, no further services are required until the next year.	Total - \$ <u>190,166</u> Co <u>15%</u> = \$ <u>28,525</u> State <u>35%</u> = \$ <u>66,558</u> Fed <u>50%</u> = \$ <u>95,083</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Client is discontinued and sanctioned if noncooperative with the work program. Good cause for noncooperation must be evaluated before negative action can be taken. See Employment Services Section for details on FSET Program.
<u>F2. Benefit Issuance</u> Issuance is mandated however the method for issuance is not. Currently we contract with a check cashing company for issuance and redemption.	Issuance is mandated. Method of issuance is not.	Total - \$ <u>792,512</u> Co <u>15%</u> = \$ <u>118,877</u> State <u>35%</u> = \$ <u>277,372</u> Fed <u>50%</u> = \$ <u>396,256</u>	<input type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract <ul style="list-style-type: none"> Monetary Management of California, Inc. 	Issues Food Stamp coupons to eligible recipients.

IV. FINANCIAL ASSISTANCE

G. General Relief

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
G. General Relief A state mandated/ county funded cash program for indigents who are not eligible for other cash assistance programs.	Mandated Welfare & Institutions Code 17000	Total - \$ <u>7,431,392</u> Co <u>100</u> % = \$<u>6,131,392</u> State <u>0</u> % = \$ <u>0</u> Fed <u>0</u> % = \$ <u>0</u> Other <u>\$1,300,000</u> (Interim Assistance repayment) Monthly Activity <u>Continuing</u> Cases - 2,906 Persons - 3,170 <u>Intake</u> Cases - 1,889 Persons - 2,153	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Level of services under county control: <ul style="list-style-type: none"> Applications are processed in one week increments in order to afford the applicant the opportunity to demonstrate their willingness to cooperate with program requirements. Aid may be paid during this period if the applicant is apparently eligible and cooperates. IN is issued on the date of application when the applicant is apparently eligible and without food and shelter. Recertification of eligibility is required annually. All clients must either file a written report monthly or must complete a verbal monthly contact. Staff must review and process these reports promptly. All cases are referred for collection at point of closure.
G1. AFIRM Fingerprint process which detects and prevents duplicate aid between Orange County and Los Angeles County.	Not mandated.	Total - \$ <u>200,000</u> Co <u>100</u> % = \$ <u>200,000</u> State <u>0</u> % = \$ <u>0</u> Fed <u>0</u> % = \$ <u>0</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract •EDS	Reduces county costs by preventing duplicate aid. SSA supports the state expansion of this program to AFDC as well.
G2. SSI Advocacy Outreach Federal grant to assist GR recipients and others to apply for and receive SSI/SSP.	Not mandated.	Total - \$ <u>375,000</u> Co <u>0</u> % = \$ <u>0</u> State <u>0</u> % = \$ <u>0</u> Fed <u>100</u>% = \$<u>375,000</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract • Mental Heath Association Of OC	Reduces county costs by transitioning GR recipients to the federal SSI/SSP program.

IV. FINANCIAL ASSISTANCE

G. General Relief

COMPONENT	MANDATES	FY BUDGET 84/85	SERVICE PROVIDER	COMMENTS
<u>G3. Medical Review Team</u> Examines GR clients to determine employability/disability.	Not mandated.	Total - \$ <u>228,600</u> Co <u>100</u> % = \$<u>228,600</u> State <u>0</u> % = \$ <u>0</u> Fed <u>0</u> % = \$<u>0</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract • Contract physician	Controls county costs by determining the employability of clients and identifying clients who may be eligible for the federal SSI/SSP program.
<u>G4. SIU (Special Investigations)</u> Investigates suspected fraud situations in GR.	Not mandated.	Total - \$ <u>450,144</u> Co <u>0</u> % = <u>0</u> \$ State <u>50</u> % = \$ <u>225,072</u> Fed <u>50</u> % = \$<u>225,072</u>	<input checked="" type="checkbox"/> SSA <input checked="" type="checkbox"/> Other Agency • District Attorney <input type="checkbox"/> Contract	Controls county costs by investigating fraudulent applications.
<u>G5. Automated Interim Assistance</u> Automated tape process which intercepts SSI reimbursements for GR repayments.	Not mandated.	See G. Above. Accounted for \$1,300,000 in reimbursements to County General Fund.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract • written agreement with the State Department of Social Services.	Facilitates major collections to repay GR.
<u>G6. Housing For Non-AFDC Families</u> Provides one time shelter payments to unaided families in the children's services caseload who are at risk of homelessness.	Not mandated.	See G. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Provides a service to try to keep families who are not AFDC eligible from becoming homeless.
<u>G7. Conditionally Employable</u> Provides a sheltered work environment for recipients who have barriers to employment.	Not mandated.	See G. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Provides sheltered employment opportunities to those with barriers to employment.

IV. FINANCIAL ASSISTANCE

G. General Relief

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>G8. GRWP</u> (General Relief Work Program) Assigns and monitors work activities for employable GR clients.	Not mandated.	See G. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Controls county costs. All employable clients must be referred to the work program the day following the interview. Cooperation with the Work Program must be verified prior to each issuance. See Employment Services Section for details on Work Program.

V. ADMINISTRATION

A. Staff Development

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
A1. Child Welfare Training <ul style="list-style-type: none"> Basic Curriculum Training Emergency Response Training SB 1125 Training 	Mandated. Welfare and Institutions Code 18962, 18979, 16200 16208 Not mandated	Staff time studies to specific program for each training session.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input checked="" type="checkbox"/> Contract <ul style="list-style-type: none"> CSU Fresno 	State DSS funded through Cal State University Fresno Child Welfare Training Project Grant Although training may not be specifically mandated by regulations, the implementation of mandates is required within certain timeframes and at specific levels. Uniform, agency-wide training is the most efficient manner to insure compliance with laws, court cases, and audit findings.
A2. Training for Public Contact Staff <ul style="list-style-type: none"> Civil Rights Training Cross Cultural Awareness Training Americans with Disabilities Training Child Abuse / Elder Abuse Reporting (& Refresher Workshop) Training Child Health & Disability Prevention Training 	Mandated EAS § 21-117.1 EAS § 21-117.2 EAS § 21-117.3 W & I Code 16206, Penal Code 11165 Mandated and funded within the guidelines of the SDSS Staff Development Training Manual, 14-530	Total Child Services Admin- \$ 441,728 Co 20 % = \$ 88,346 State 46 % = \$ 203,194 Fed 34 % = \$ 150,188 Total Financial Assistance Admin \$ 104,262 Co 15 % = \$ 15,639 State 35 % = \$ 36,492 Fed 50 % = \$ 52,131	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	

V. ADMINISTRATION

A. Staff Development

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>A3. Training for Financial Assistance Staff</u> <ul style="list-style-type: none"> Fraud Prevention & Detection Training Program Induction Training for AFDC, Food Stamps and Medi-Cal Group R & R Videos 	<p>Mandated and funded within the guidelines of the SDSS Staff Development Training Manual of Policies and Procedures, 14-520</p> <p>Mandated by SDSS Regulations, EAS § 20-005.2</p> <p>W & I Code, § 14016.6 (d)</p> <p>Food Stamp Manual, 63-202</p>	See A2. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	ETs this Fiscal year, planned for delivery to all Continuing staff prior to 7/95. Delivered to all new hires.
<u>A4. Training for all Management staff</u> <ul style="list-style-type: none"> Affirmative Action/EEO Training (<p>Mandated by SDSS Regulations</p> <p>§ 21-117.3</p>	See A2. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	
<u>A5. Supervisory Training</u> <ul style="list-style-type: none"> Clerical Supervisory Training Eligibility Supervisor Training 	<p>Not Mandated</p> <p>Cost effective</p>	See A2. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	In progress throughout the fiscal year.

V. ADMINISTRATION

A. Staff Development

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>A6. Other Training for Supervisory staff</u> <ul style="list-style-type: none">• Non-Violent Crisis Intervention• Interaction Management• Techniques	Not Mandated Cost effective	See A2. above.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Although there is no specific mandate for this training, the procedures taught in the training are mandated by legislation or appellate court decisions, and knowledgeable or unwitting failure to comply with prescribed procedures could result in the Agency being claim cut or significant sanctions being levied.

IV. ADMINISTRATION

B. Quality Assurance

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
B1. State Hearings Hearings requested by applicants/recipients of Financial Assistance and Social Services programs	Mandated Welfare and Institutions Code 10950	Total - \$ <u>506,537</u> Co <u>15%</u> = \$<u>75,981</u> State <u>35%</u> = \$<u>177,288</u> Fed <u>50%</u> = \$ <u>253,269</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	Clients who disagree with an action taken by the agency have a right to request that the decision be reviewed by a state hearing officer. SSA Hearing Workers review the action taken by staff and present the county position at the hearing. In most instances, the client continues to receive benefits at the higher level until the Hearing Officer issues a finding.
B2. Program Quality Control Monthly reviews of a sample of AFDC and Food Stamp Cases	Mandated California SDSS-Manual-O, Division 15-310.1	Total - \$ <u>1,521,997</u> Co <u>15%</u> = \$<u>228,300</u> State <u>35%</u> = \$<u>532,699</u> Fed <u>50%</u> = \$<u>760,999</u>	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	County and state error rates are extrapolated from these reviews. These reviews are used to develop the county's corrective action plan.
B3. Overpayments Computation of overpayments and overissuances for Financial Assistance and Social Services programs.	California-SDSS-Manual-CFC Chapter 20-000 20-005	See Page 29 IVA.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	The CWD is responsible for establishing the amount of overpayment/overissuance and insuring the appearance of employees at hearings and trials
B4. Civil Rights Plan An annual Civil Rights Plan is mandated.	California-SDSS-Manual 21-203.2 Civil Rights Act 1964, Title VI.	See Page 29 IVA.	<input checked="" type="checkbox"/> SSA <input type="checkbox"/> Other Agency <input type="checkbox"/> Contract	The report must include ethnic origin and primary language of the welfare population. It also includes statistics for bilingual staff and reports on office accessibility for the disabled, civil rights training for staff and the results of discrimination complaint investigations.



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IV. ADMINISTRATION

B. Quality Assurance

COMPONENT	MANDATES	FY BUDGET 94/95	SERVICE PROVIDER	COMMENTS
<u>B5. Affirmative Action Plan</u> Each agency is required to develop an Affirmative Action Plan with goals and timetables and to update the plan annually.	Mandated Social Security Act Board Resolution 72-1118.	Human Resources staff compile the report.		To qualify for federal funds, states and counties are required to have an Affirmative Action Plan.
<u>B6. Fraud Study</u> Follow up to 1993 Child-Only Fraud Study.	Not mandated. Joint project with State Department of Social Services, District Attorney and Social Services Agency to study the rate of fraud in 500 randomly selected AFDC cases.	Total - \$ <u>928,368</u> Co <u>0%</u> = \$ <u>0</u> State <u>50</u> % = \$ <u>464,184</u> Fed <u>50%</u> = \$ <u>464,184</u>	<input checked="" type="checkbox"/> SSA <input checked="" type="checkbox"/> Other Agency • District Attorney <input checked="" type="checkbox"/> Contract • Dr. Thomas MaCurdy, Consultant	The purpose of this study is to determine the incidence of fraud in AFDC cases, to develop a fraud profile, to recommend the most beneficial uses of resources in detecting and preventing fraud. This is a special study funded by the state and federal government scheduled for fall, 1995 completion. SSA's ability to continue to manage this project is at risk due to fiscal crisis.